

REMARKS

The Section 102 Rejection of Claims 1-39 and 41-61

Claims 1-39 and 41-61 were rejected under 35 U.S.C. §102(e) as being anticipated by Kinebuchi et al., U.S. Patent No. 6,208,906 ("Kinebuchi"). Applicants respectfully disagree and traverse these rejections for at least the following reasons.

Each of claims 1-39 and 41-61 includes the feature of, among other things, the establishment of a wireless communication link with a mobile customer. In contrast, Kinebuchi does not disclose the establishment of a link with a mobile customer.

Instead, it appears that Kinebuchi establishes an RF link between management equipment 10 and stationary order-taking terminal devices 40-1, 40-2 Neither the devices 40-1, 40-2 nor the users associated with devices are mobile. The devices are described as being placed on the tables of a restaurant (see, for example, column 8, lines 66-67; column 13, lines 15-20; column 14, lines 5-7).

Accordingly, because Kinebuchi does not disclose (or suggest) each and every feature of the claims of the present invention, Kinebuchi cannot anticipate (nor render obvious) claims 1-39 and 41-61. Applicants respectfully request withdrawal of the pending rejections and allowance of claims 1-39 and 41-61.

The Section 102 Rejection of Claims 62-108

Claims 62-108 were rejected under 35 U.S.C. §102(e) as being anticipated by Showghi et al., U.S. Patent No. 6,473,739 ("Showghi"). Applicants respectfully disagree and traverse these rejections for at least the following reasons.

Each of claims 62-108 includes the feature of, among other things, the broadcast of a wireless signal to establish a wireless communications link with a mobile customer. Instead of broadcasting a wireless signal, the base transceiver station 28 in Showghi waits for an order from patrons already at a menu/facility (e.g., concert, game or other event), or, alternatively, from patrons which are just arriving at an event before transmitting a signal. Thus, Showghi's signal is a "narrow" cast signal aimed at specific patrons, not a broadcast signal as in claims 62-108. Accordingly, applicants respectfully request withdrawal of the pending rejections and allowance of claims 62-108.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a one (1) month extension of time for filing a reply to the outstanding Office Action and submit the required \$120.00 extension fee herewith.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number of the undersigned below.

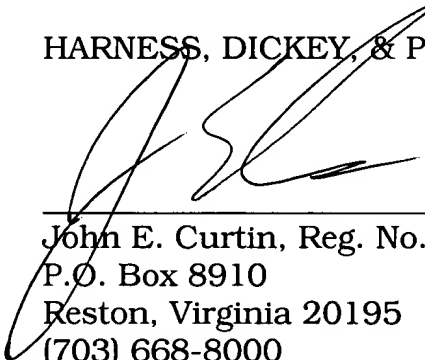
In the event this Response does not place the present application in condition for allowance, applicant requests the Examiner to contact the undersigned at (703) 668-8000 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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